(204)

# HIGH COURT OF CHHATTISGARH AT BILASPUR

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**S.B. : HON'BLE MR. SATISH K. AGNIHOTRI, J.**

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## WRIT PETITION NO.1766 OF 2001

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| Petitioners | : | Chhattisgarh Anusuchuit Jati Janjati Adhikari Evam Karmchari Sangh and others |
| | versus | |
| Respondents | : | State of Chhattisgarh and others |

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Present : Mr. P.Diwakar, Senior Advocate with Mr. P.K. Bhaduri, counsel for the petitioners.
Mrs. Anju Ahuja, Deputy Government Advocate for the respondents/State.

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**ORDER**
(Passed on 7th of September, 2006)

This petition is filed by the officers and employees of the State of Chhattisgarh in representative capacity. The petitioners – associations have impugned the order dated 3-9-2001 (Annexure A-5). Several members of the petitioners – associations, working as teachers, have been transferred to various places. This Court, while issuing notice, granted stay of the impugned transfer order

dated 3-9-2001 (Annexure A-5). By virtue of the said order, the members of the petitioners – associations had continued on the same place of posting for about five years. In view of the fact that the members of the petitioners – associations have worked for five years at one place, at this stage, it is not necessary to go into legality or validity of the impugned order.

2. Having regard to the facts and circumstances of the case, the respondents are at liberty to pass any order posting the members of the petitioners – associations at any place in public interest as well as in administrative exigency, as this is the privilege of the employer to post an employee at a place in public interest and in administrative exigency.

3. At this stage, since the impugned order has been stayed and the members of the petitioners – associations had remained at their old place of posting, the State Government shall not insist upon compliance of the earlier impugned order dated 3-9-2001 (Annexure A-5). However, the respondents are bound to comply with the various directions made by this Court in its order dated 20-8-2001 passed in Writ Petitions No.1351/2001 (*Chhattisgarh Anusuchutit Jati Janjati Adhikari Evam Karmchari Sangh and others vs. State of C.G. and others*), 1343/2001 (*Chhattisgarh Tratiya Warg Shaskiya Karmachari Sangh vs. State*

*of Chhattisgarh and others*) and Writ Petition No.1483/2001, which has been later on explained by Division Bench of this Court in its decision dated 29-11-2005 passed in Writ Petition No.4926/2005 (*Haider Ali Rizavi vs. State of Chhattisgarh and others*).

4. This petition accordingly stands disposed of. No order as to costs.

Certified copy as per rules.

**Sd/-**
**Satish K. Agnihotri**
**Judge**